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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen S. Macey

Serial No.: 09/865,010

Filed: May 24, 2001

For: TWO-WAY RF REMOTE CONTROL

Examiner: Not Assigned

Group Art Unit: Not Assigned

August 2, 2001

Irvine, California 92614

TRANSMITTAL OF PETITION TO SUBMIT
FIGURE 4 OF THE SPECIFICATION UNDER 37 CFR 1.182

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

Responsive to the Notice of Omitted Item(s) in a Nonprovisional Application dated July 25, 2001, enclosed please find the following:

A Petition to Submit Figure 4 of the Specification under 37 CFR 1.182 and a copy of the Notice.

A supplemental declaration of Stephen S. Macey, the inventor, referring to Figure 4 of the specification for the above-identified application. A formal drawing sheet containing Figure 4.

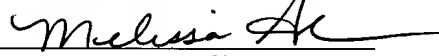
The required petition fee of \$130.00. Please charge any additional fees to our Deposit Account No. 16-2462. A duplicate copy of this letter is enclosed.

09865010-000201
102000-01059860

Kindly contact the undersigned attorney at the listed telephone number if a telephone call would expedite matters.

I hereby certify that this correspondence is being deposited with the United States Postal Service Via Express Mail No. 852656584US in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on August 2, 2001.

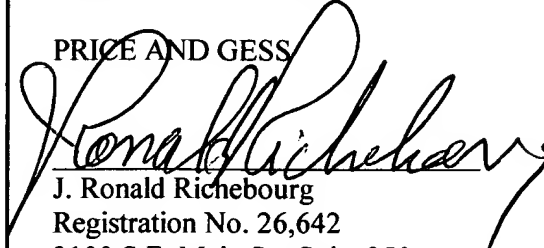
By: Melissa Sanchez


Signature

Date: August 2, 2001

Respectfully submitted,

PRICE AND GESS


J. Ronald Richebourg
Registration No. 26,642
2100 S.E. Main St., Suite 250
Irvine, California 92614
Telephone: 949/261-8433

102080-01059860

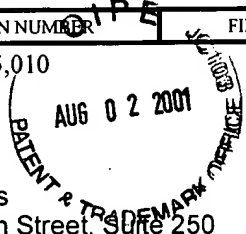
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/865,010	05/24/2001	Stephen S. Macey	WAT5-BI35



Price and Gess
2100 S.E. Main Street, Suite 250
Irvine, CA 92614-6238

CONFIRMATION NO. 3794

FORMALITIES LETTER



OC000000006342698

Date Mailed: 07/25/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **Fig. 4** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

09/865,010 - 010552360

A copy of this notice MUST be returned with the reply.

H-T
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

0985040-080201
102080-07059860

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AUG 02 2001
PATENT & TRADEMARK OFFICE

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen S. Macey

Serial No.: 09/865,010

Filed: May 24, 2001

For: TWO-WAY RF REMOTE CONTROL

Examiner: Not Assigned

Group Art Unit: Not Assigned

August 2, 2001

Irvine, California 92614

PETITION TO SUBMIT FIGURE 4 OF THE SPECIFICATION UNDER 37 CFR 1.182

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Applicant received a Notice of Omitted Item(s) dated July 25, 2001, advising that Figure 4 of the drawings had apparently been omitted from the patent application as filed on May 24, 2001.

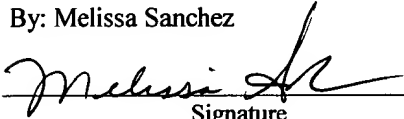
Applicant hereby petitions the U.S. Patent and Trademark Office to add Figure 4 to the specification of the above-identified application. A copy of the Notice, a supplemental declaration signed by the inventor referring to Figure 4 of the specification, and a formal sheet containing Figure 4 are attached hereto.

The required petition fee of \$130.00 is also enclosed. Please charge any additional fees to our Deposit Account No. 16-2462.

If there are any questions with regard to this matter, please contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on August 2, 2001.

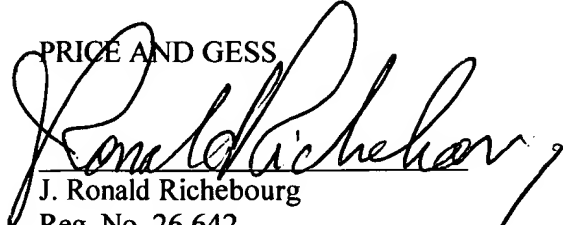
By: Melissa Sanchez


Signature

Date: August 2, 2001

Very truly yours,

PRICE AND GESS


J. Ronald Richebourg
Reg. No. 26,642
2100 S.E. Main St., Ste. 250
Irvine, CA 92614
949/261-8433

Type a plus sign (+) inside this box → ☐

PTO/SB/04 (03-01)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

SUPPLEMENTAL DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	WAT5-BI35
	First Named Inventor	Stephen S. Macey
	COMPLETE IF KNOWN	
	Application Number	09 / 865,010
	Filing Date	May 24, 2001
	Group Art Unit	Not Assigned
	Examiner Name	Not Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TWO-WAY RF REMOTE CONTROL

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

May 24, 2001

as United States Application Number or PCT International

Application Number 09/865,010

and was amended on (MM/DD/YYYY)

(If applicable)

I hereby declare that the subject matter of the ☒ Figure 4 ☐ was part of my or our invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the natural or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(e) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Type a plus sign (+) inside this box → ☐

PTO/SB/04 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATIONDirect all correspondence to: ☒ Customer Number -
or Bar Code Label ☐ OR ☐ Correspondence address belowName Albin H. GessAddress PRICE AND GESSAddress 2100 S.E. Main Street, Suite 250City IrvineState CAZIP 92614Country U.S.A.Telephone 949 261-8433Fax 949 261-9072

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given

Name Stephen S.

Family Name

or Surname MaceyInventor's
SignatureSteph S. MaceyDate 7/31/01Residence: City OceansideState CACountry USACitizenship USMailing Address 748 Muirwood Drive

Mailing Address

City OceansideState CAZIP 92057Country USA

Name of Second Inventor:

☐ A petition has been filed for this unsigned inventor

Given

Name

Family Name

or Surname

Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

Mailing Address

City

State

ZIP

Country

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.